

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 9010 – SB 9042**

October 28, 2021

**SUMMARY OF BILL:** Prohibits a local education agency (LEA), public charter school, and certain private schools that receive state funds from: (1) requiring a student to be immunized against COVID-19; and (2) segregating students on the basis of a student's COVID-19 immunization status. Establishes legal liability for a school that violates this section. Authorizes the Commissioner of the Department of Education (DOE) to withhold state education funds if a school violates this section.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Tennessee Code Annotated § 49-6-5001(b)(3) establishes that immunizations required for attending public school does not apply to the SARS-CoV-2 virus or variants.
- Tennessee Code Annotated § 68-5-117 prohibits a state or local governmental official, entity, department, or agency from requiring proof of vaccination as a condition of utilizing services provided by a state or local governmental entity. Thus, local educational agencies, public schools, and public charter schools already cannot require students to be immunized against COVID-19.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

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